

COUNCIL MINUTES

Regular Meeting September 16, 2008

Mayor Lee Felling called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present: Mayor Lee Felling, Deputy Mayor Don Gerend, Councilmembers Jack Barry, Kathleen Huckabay, Michele Petitti and Nancy Whitten.

Staff present: City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director John Cunningham, Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, Assistant City Attorney Kari Sand, and Deputy City Clerk Stacy Herman.

Roll Call/Pledge

Roll was called. Planning Commissioner Tom Vance led the pledge.

Public Comment

Cory Prutzman: He represents the Laurels Development Homeowners Association. They are having troubles with the Historical house known as the “Baker” house. The house is located on a tract in the development and is currently deteriorating. There are liability issues with the deterioration and the fact that kids are breaking into the house and hanging out. He requests the City look into how the historical home can be restored.

Approval of Agenda

MOTION: Councilmember Huckabay moved to approve the agenda. Councilmember Petitti seconded.

AMENDMENT: Deputy Mayor Gerend made a motion to amend the agenda by adding a Parks Bond Presentation under Presentations and Proclamations. Councilmember Cross seconded. Motion carried unanimously 7-0.

AMENDMENT: Mayor Felling made a motion to amend the agenda by adding the Excellence in Green Award under Presentations and Proclamations. Councilmember Petitti seconded. Motion carried unanimously 7-0.

MAIN MOTION: Mayor Felling moved to approve the agenda as amended. Councilmember seconded. Motion carried unanimously 7-0.

Proclamations/Presentations:

- Mayor Felling and Deputy Mayor Gerend attended a conference sponsored by King County and accepted an award for an Excellence in Building Green for the City of Sammamish Commons. The award was given to the City for use of applying building green techniques.
- Parks Bond Presentation (copies of the presentation are available on the City's website at www.ci.sammamish.wa.us or by requesting a copy from the City Clerk.)

Consent Calendar

- **Payroll for pay period ending August 31, 2008 for pay date September 5, 2008 in the amount of \$257,864.29.**
 1. **Approval: Claims for period ending September 16, 2008 for Check No. 21699 through Check No. 21802 in the amount of \$992,781.20**
 2. **Resolution: Approving Certain Expenditures From The Housing Trust Fund For 2007/2008 (R2008-344)**
 3. **Contract: SE 20th Street Survey/CH2mHill**
 4. **Contract: Building Permit Drainage Review/J3 Mecham**
 5. **Contract: Customer Service Training/Performance Journeys**
 6. **Resolution: Accepting The Pine Lake Park Phase II Picnic Shelter Replacement Project As Complete/Danneko (R2008-343)**
 7. **Approval: Study Session Notes for July 8, 2008**
 8. **Approval: Minutes for July 21, 2008 Special Meeting**
 9. **Approval: Minutes for September 2, 2008 Regular Meeting**

MOTION: To approve consent calendar. Motion carried unanimously 7-0.

Public Hearing

Ordinance: Second Reading Amending The City Of Sammamish Municipal Code To Create A Low Impact Development Chapter, And Amending Certain Other Chapters Of The City Of Sammamish Municipal Code To Ensure Consistency With The Low Impact Development Chapter (O2008-236)

Community Development Direct Kamuron Gurol gave the staff report. This is the second reading of the ordinance. A revised ordinance was brought back as directed by Council on February 5, 2008. SvR Design was retained to review the City's proposed ordinance and to provide comments. The outcome was a Review Memorandum dated August 26, 2008, a revised Draft Code Amendment, and a "Point System" matrix providing comparison between proposed Low Impact Development designs and incentives. Staff recommends continuing the public hearing, take public testimony, close the public hearing and adoption of the proposed LID ordinance as modified by SvR Design.

Public Hearing opened at 6:50 p.m.

Ilene Stahl 21553 SE 28th Lane: She complimented the updated LID ordinance and the work by staff and SvR. She was satisfied that if Low Impact Development (LID) becomes mandatory, the City will come back and look at the LID ordinance to see if it meets the criteria set by the NPDES permit requirement.

David Sell 22329 NE 9th Drive: He has concerns with the LID ordinance that include; forested areas, whether staff will be properly trained in applying low impact development, whether the techniques actually work, and if they don't, who is responsible?

Public hearing closed at 7:10 p.m.

MOTION: Councilmember Huckabay moved to approve the proposed ordinance as amended by SvR to promote the use of Low Impact Development in the City of Sammamish. Councilmember Petitti seconded.

AMENDMENT: Councilmember offered an amendment that the Director of Community Development develops rules and regulations to carry out the purposes of the act and that would provide flexibility, interpret and apply the ordinance. Deputy Mayor Gerend seconded.

City Manager Yazici suggested that he work with the Community Development Director and Public Works Director and come back to the Council at a later date if the rules suggested by Councilmember Whitten's amendment are necessary. Community Development Director Gurol pointed out that there is a provision in the current ordinance that gives some flexibility to the Director.

Councilmember Whitten withdrew her amendment.

Councilmember Cross supports Councilmember Whitten and suggests that if need be, this could come back to Council for reconsideration at a later date.

AMENDMENT: Gerend moved to amend the development regulations at page 8 of 13 (7a, b) shall read that 90% of Residential/Commercial/institutional development shall drain to biofiltration swales or rain gardens, Matrix page 5 of 13 21A.85.040 a reference chart will be created as a handout and the note will used a placeholder, Page 11 of 13 21A.85.060 will also be held as a placeholder (to be adopted at a later date) for mixed-use and commercial zones, Page 12, 21A.85.080 revised verbiage shall read Sammamish Comprehensive LID, staff will work to resolve inconsistencies found in 21A.85.040 (section 7) and 21.85.050 (section 1), and add the footnotes to matrix 21A.25.030.

Eric LaFrance discussed retaining trees and how the percentages of forested areas are figured. Community Development Director Kamuron Gurol explained the incentives point system matrix.

Community Development Director pointed out that the ordinance requires that the City review the ordinance every three years. The City currently keeps a list of code blocks or sections of the code that should be updated/revised and reviewed by the Planning Commission and then forwarded over to Council for a final decision.

Senior Stormwater Program Engineer Eric LaFrance discussed the current model used to determine water runoff and forested/outwash soils.

Councilmember Whitten requested that page 8 of 13 (7) (c,d) be revised to include Beaver and Pine Lake basin. Council agreed with the technical correction. She also had concerns with zero lot line incentive. The majority of the Council decided that it was best to leave it in the ordinance.

Councilmember Barry is in favor of moving on and making a decision. Adjustments can be made at a later date, if need be.

Councilmember Whitten will be voting against the ordinance. She has concerns with impacts on water quality in lakes and streams amongst other concerns.

Deputy Mayor Gerend is in favor of the LID ordinance.

Councilmember Huckabay has concerns with long term maintenance of LID. However, she will support the ordinance.

Councilmember Cross supports the ordinance.

MAIN MOTION: Mayor Felling moved to approve the ordinance as amended.
Councilmember Petitti seconded. Motion carried 6-1 with Councilmember Whitten dissenting.

Unfinished Business: None.

New Business

Ordinance: First Reading Adopting The Lake Washington School District No. 414 Impact Fees For 2008

Community Development Director Kamuron Gurol gave the staff report. The plan revises the fees for the year 2008. Single family dwelling unit are \$6,492.00 and a multi-family dwelling unit \$887.00. *(A copy of the plan is available in the City Clerk's office upon request.)*

Forrest Miller, Lake Washington School District: He reported on the new Carson Elementary School on NE 8th. There is an open house scheduled for October 2, 2008.

Ordinance: First Reading Adopting The Issaquah School District No. 411 Impact Fees For 2008

Community Development Director Kamuron Gurol gave the staff report. The plan revises the fees for the year 2008. Single family dwelling are \$5,495.00 and multi-family dwelling \$806.00. The Issaquah School District fee had a slight decrease from the previous year. *(A copy of the plan is available in the City Clerk's office upon request.)*

Council Reports

Councilmember Huckabay: She reported on Transit Now. She discussed Developing Cities program on bus service..

Councilmember Cross: He attended the public meeting for the roundabout for the 244th Street project. He spoke with a couple of citizens who are concerned with the 248th street. He is attending a meeting with Growth Management Planning Council tomorrow. Planning Policies and Growth Targets will be discussed.

Councilmember Barry: He read a letter from the Sammi Organization. He encouraged everyone to attend the November 8, 2008 Bravo fund raising event. Mr. Barry attended a joint meeting with Redmond City Council last week and discussed topics of mutual interest.

Mayor Felling: He met with Eastside Fire & Rescue Fire Chief and Chair of the Fire Board today. They will try to meet on a monthly basis. He will be attending Suburban Cities meeting tomorrow night. They will discuss King County's anticipated \$90 million budget deficit.

Councilmember Whitten: She voiced the support of the Council that Mayor Felling and Councilmember Jack Barry represent the City with the EF&R Board.

City Manager Report

City Manager Yazici reported that there is a vacancy on Planning Commission and that it will be advertised. He communicated to Council the retreat has been scheduled for January 22, 23, and 24th. He reported on issues surrounding the King County budget with Prosecutors Office and not prosecuting less than \$10,000. King County is seriously considering closing the Issaquah District Court and may be necessary for Council to make some decisions relating to contract court services. We currently have an agreement for jail services with Yakima. This option is no longer available to the Eastside City's Consortium. A study session will be scheduled at a later date to discuss a new option. These could possibly have some budgetary implications.

MOTION: Councilmember Huckabay made a motion to endorse the ARCH Regional Strategic Priorities as presented at Sammamish City Council study session September 15, 2008.
Councilmember Gerend seconded. Motion carried unanimously 7-0.

Executive Session - None

MOTION: Motion to adjourn. Motion carried unanimously 7-0.

Meeting adjourned at 9:30 pm

Stacy Herman, Deputy City Clerk

Lee Felling, Mayor